

Entered - 06/22/00 - sb  
CL00L0382 - DIANNE C. MITCHELL

CLAIM OF: **GEICO AS SUBROGEE OF ANDREW SO**  
**One GEICO Center**  
**Macon, Georgia 31296-0001**

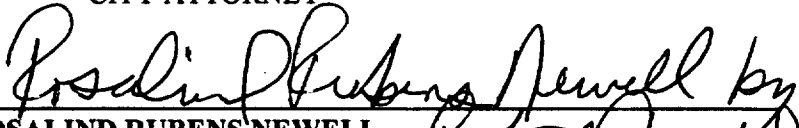
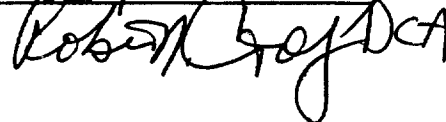
**01- R-0254**

For damages alleged to have been sustained as a result of a vehicular accident on May 6, 2000 at Boulevard Drive, SE and Hamilton Avenue, SE.

**BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:**

**BE IT RESOLVED** by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **GEICO AS SUBROGEE OF ANDREW SO** the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on May 6, 2000 at Boulevard Drive, SE and Hamilton Avenue, SE. as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

**APPROVED: SUSAN PEASE LANGFORD**  
**CITY ATTORNEY**

BY:   
**ROSALIND RUBENS NEWELL**  
**DEPUTY CITY ATTORNEY** 

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0382

Date: February 5, 2001

Claimant /Victim GEICO AS SUBROGEE OF ANDREW SO

BY: (Atty) \_\_\_\_\_

Address: One GEICO Center, Macon, Georgia 31296-0001

Subrogation: X Claim for Property damage \$ 2,859.96 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 06/13/00 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) \_\_\_\_\_

Date of Occurrence 05/05/00 Place: Boulevard Drive, SE and Hamilton Avenue, SE

Department Public Works Division: Solid Waste Services

Employee involved Carl M. Aaron Disciplinary Action: No Action Taken

NATURE OF CLAIM: The driver of the City vehicle changed lanes improperly and collided with the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver X Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,000.00 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 02-05-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_



1-800-841-3000

- Government Employees Insurance Company
- GEICO General Insurance Company
- GEICO Indemnity Company
- GEICO Casualty Company
- Criterion Insurance Agency, Inc.  
(Colonial County Mutual Ins.)

*Mitchell*

*06/23/00*

*[Signature]*

ONE GEICO CENTER  
MACON, GEORGIA

31296-0001

May 29, 2000

City Of Atlanta  
678 Ponce De Leon Ave.  
Atlanta, GA 30615-1808

ENTERED - 6-22-00 - SB  
00LO382 - DIANNE MITCHELL

CLAIM NUMBER: 0009780220101073  
INSURED: Andrew So

LOSS DATE: 05/06/00

Dear City Of Atlanta:

We are investigating the above loss and would appreciate your completing the enclosed form in as much detail as possible. Please write our claim number on the form and return the completed form in the enclosed envelope.

As soon as we receive this information, we will promptly consider your claim.

Very truly yours,

BRENDA PINKNEY A298

CLAIMS DEPARTMENT 800-841-3000  
GOVERNMENT EMPLOYEES INSURANCE COMPANY

ENC.: C22, E219RR

20

PLEASE REFER TO OUR CLAIM NUMBER WHEN  
WRITING OR CALLING ABOUT THIS CLAIM

CL10

Shareholder Owned Companies Not Affiliated With The U.S. Government

CLL14

GENERAL RELEASE AND INDEMNIFICATIONCLAIM NUMBER 00L0382\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND AND NO/100  
         DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby  
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever  
discharge said City, its officers and employees, including but not limited to Carl M. Aaron, from any and all  
claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or  
on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident  
which occurred on or about the 6<sup>th</sup> day of May, 2000,

at or near Boulevard Drive, SE and Hamilton Avenue, SE

It is further understood and agreed that the payment of the above named sum is not to be considered as an  
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the  
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,  
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,  
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment  
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by  
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this  
instrument.

WITNESS my hand and seal this 5 day of Feb., 2000.

Brad Peckoe (LS)  
GEICO AS SUBROGEE OF ANDREW SO

The above release was read and explained to, and signed by the said Brad Peckoe

in our presence on the date above written.

Penelope Gray  
Walter Blue  
Witnesses